

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRIAN MOEN,

Plaintiff, No. CIV S-02-1237 GEB KJM P

vs.

CHERYL PLILER, Warden, et al.,

Defendants. FINDINGS & RECOMMENDATIONS

By an order filed March 26, 2003, this court ordered plaintiff to submit materials for service of process. Plaintiff has not responded in any way to the court's order.

IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Fed. R. Civ. P. 41(b).

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned "Objections to Findings

////

////

////

1 and Recommendations.” Plaintiff is advised that failure to file objections within the specified  
2 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153  
3 (9th Cir. 1991).

4 DATED: June 29, 2005.

5   
6 UNITED STATES MAGISTRATE JUDGE  
7  
8

9  
10 /moen1237.fusm  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26